

MEETING NOTICE

Town of West Warwick

Planning Board

Meeting Date: Monday, December 1, 2014

Time: 6:00 p.m.

Location: West Warwick Town Hall

Town Council Chambers

1107 Main Street

West Warwick, RI 02893

Item 1

Approval of Minutes

Review and approval of November 2014 meeting minutes.

Item 2

Public Hearing

Arctic Design Control District - Major Activity

117 Washington Street

Applicant: The Arctic Playhouse c/o

James Belanger & David Vieira

Location: 117 Washington Street

Assessor's Plat: 6

Lot(s): 477

Zoning District: Arctic Design Control District (ADCD)

Land Area: 4,922 sf.

Number of lots: NA

Engineer: NA

The applicant is requesting Planning Board approval to have a live theater in an existing building with an anticipated seating for 100 guests, on-street parking and off-site parking proposed on the abutting Senior Center public parking lot and a temporary 3'X 5' "storefront banner sign" located inside the front window of the building.

Planning Office Findings

The Planning Office finds this proposal to be generally consistent with Zoning Ordinance Section 5.15 "Arctic Design Control District," harmonious with the spirit and intent of the district and appropriate to the character and function of the district and:

- 1) That the proposed use is an allowed use in the district; and**

2) That the proposed “storefront banner sign” complies with the zoning requirements for the district.

Planning Office Recommendations

After conferring with the Technical Review Committee (TRC) and the Planning Board Solicitor, the Planning Office recommendation is to approve the proposed use with the following stipulations:

- 1) That the proposed show times shall be restricted to Thursday, Friday and Saturday evenings from approximately 8PM to 10PM and Sunday afternoons from approximately 4PM to 6PM and shall not run simultaneously with any special events scheduled at the Senior Center in order to avoid any parking conflicts**
- 2) That all outstanding taxes, principal and interest due to the Town of West Warwick shall be paid prior to recording the Planning Board approval letter.**

Planning Board Vote

James Williamson Yes No

Joseph DiMartino Yes No

Felix Appolonia Yes No

Joe Gardosik Yes No

Anthony Petrarca	Yes	No
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Item 3

Public Informational Meeting

Major Subdivision

Metropolitan Oil

Applicant: Metropolitan Oil Company, Inc.

Location: 1086 Main Street

Assessor's Plat: 17

Lot(s): 41 & 42

Zoning District: Business (B)

Land Area: 27,919 sf.

Number of lots: 2

Engineer: Boyer Associates

Applicant is requesting Master Plan approval to subdivide two abutting merged lots, one conforming 15,374 sf. lot and one nonconforming 12,545 sf. lot with an existing gasoline station and car wash/garage to create two new lots; one conforming 20,252 sf. lot with a gasoline station having less than the required side yard setback and less than the required landscaping and one nonconforming lot having less than the required lot width and area, with a garage for commercial vehicle storage having less than the required side yard setbacks, less than the required parking and less

than the required landscaping.

Planning Office Findings

The Planning Office finds this proposal to be generally consistent with Section 17-5 “General Purposes” of the Towns Subdivision and Land Development regulations, and:

- 1) Generally consistent with the Comprehensive Community Plan.**
- 2) Not in compliance with the standards and provisions of the Town Zoning Ordinance, therefore requiring Zoning Board of Review approval for the following:**
 - o Zoning Section 5.4 “Dimensional Regulations” To create a lot with less than the required frontage, lot width, less than the required area and to have two buildings with less than the required side yard setbacks.**
 - o Zoning Section 5.9.5 “Location of required parking spaces” The applicant is requesting approval to have parking for the commercial vehicle storage garage on the abutting lot.**
 - o Zoning section 5.9.10.5 “Landscaping” The applicant is requesting relief from the 5’ planting strip between the parking area and the street.**
- 3) That there will be no significant negative environmental impacts from the proposed subdivision.**

4) That the subdivision will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.

5) That the proposed subdivision possesses adequate physical access to a public street.

6) That the proposed subdivision provides for the safe circulation of pedestrian and vehicular traffic, adequate detention of surface water runoff, suitable building sites, and the preservation of natural, historical and cultural features; and

7) That the proposed subdivision will not result in any increase flooding and soil erosion.

Planning Office Recommendations

After conferring with the Technical Review Committee (TRC), the Planning Board Solicitor and the Town Engineer, the Planning Office recommendation is to grant Master Plan approval with the following stipulations:

1) That the applicant shall receive ZBR approval for the following:
o Zoning Section 5.4 “Dimensional Regulations” To create a lot with

less than the required frontage, lot width, less than the required area and to have two buildings with less than the required side yard setbacks.

o Zoning Section 5.9.5 “Location of required parking spaces” The applicant is requesting approval to have parking for the commercial vehicle storage garage on the abutting lot.

o Zoning section 5.9.10.5 “Landscaping” The applicant is requesting relief from the 5’ planting strip between the parking area and the street.

2) That the recorded plan shall provide cross easements for access between the two lots.

3) That the recorded plan shall provide sufficient parking for both uses on lots 41 and 42 respectively and that the recorded plan shall contain an easement designating a minimum of 6 parking spaces on lot 41 for the exclusive use by abutting lot 42.

4) That the property owner shall stripe the parking on the real property as presented on the final recorded plan.

5) That all outstanding taxes, principal and interest due to the Town of West Warwick shall be paid prior to recording the Planning Board final approval letter and the final subdivision plan.

Planning Board Vote

James Williamson Yes No

Joseph DiMartino Yes No

Felix Appolonia Yes No

Joe Gardosik Yes No

Anthony Petrarca Yes No

Item 4

Amendment to the Town's Zoning Ordinance

Section 17 "Development Plan Review"

Applicant: Town of West Warwick

**Zoning Amendment: Zoning Ordinance amendment to Section 17
"Development Plan Review"**

**The Town of West Warwick desires to amend Zoning Ordinance
Section 17 "Development Plan Review" to create two forms of
Development Plan Review (DPR) – Planning Board DPR and
Administrative DPR.**

The Town of West Warwick presently requires that a DPR “for any use, building or structure except for one-family or two-family dwellings or residential accessory uses for one and two family dwelling; agricultural buildings, structures and uses and parking area changes of less than 25 spaces” must be approved by the Planning Board before any building permit may be issued. Such all inclusive requirement for DPR by the Planning Board imposes additional cost and expense and administrative burden on the business community, the citizens and the employees of the Town of West Warwick, the Town believes that the reduction of such costs and expenses and administrative action is in the best interests of the Town.

The Town is proposing a reduction and improvement to the DPR process through the creation of two forms of DPR review and allowing for an expedited and less costly Administrative DPR for matters that are in full compliance with the zoning code and where there is no adverse impact on the public health, safety and welfare of the Town of West Warwick

Planning Department Findings

Upon conferring with the Planning Board Solicitor, the Planning Office finds the proposal to be in compliance with the Town’s Comprehensive Plan including Chapter 1 Section 1 Purpose, the Land use Element – Goals, Policies and Implementation Actions and the Implementation Section. The Planning Office also finds the proposed

zoning amendment to be generally consistent with the following purposes of the Town's Zoning Ordinance as presented in Section 2 "General Purposes":

2.1 Promote the public health, safety and general welfare.

2.3 Provides for orderly growth and development, which recognizes:

2.3.1 The goals and patterns of land use contained in the comprehensive plan of the Town.

2.3.5 The availability and capacity of existing and planned public and private services and facilities

2.3.6 The need to shape the urban and suburban development

2.3.7 The use of innovative development regulations and techniques.

2.12 Promote implementation of the comprehensive plan of the Town of West Warwick adopted pursuant to the General Laws.

2.14 Provide for efficient review of development proposals, to clarify and expedite the zoning approval process.

2.15 Provide for procedures for the administration of the zoning ordinance

The Planning Office recommendation is for a favorable

recommendation to the West Warwick Town Council for the requested zoning amendment.

Item 5

Bond Reduction

Royal Hatheway Heights – Whisper Court

(See attached letter from James J. Geremia & Associates, Inc., dated September 23, 2014.)

The Town's Engineering Consultant and Public Works Department have performed an inspection of the development, roadway and infrastructure and are recommending the final bond release with the following conditions as requested by the Public Works Director:

- 1) That the developer shall clean the catch basin 1A, as designated on the development plans, located at the end of the cul-de-sac.**
- 2) That the developer shall remove any debris currently located in the detention basin.**

Item 6

Administrative Subdivisions

No Administrative Subdivisions to report.

Item 7

Public Comment